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Office of the Employer Adviser

Annual Report

2009-2010

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2009 - 2010

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A Message from the Director

I am pleased to submit this report on the OEA's activities for 2009 - 2010.

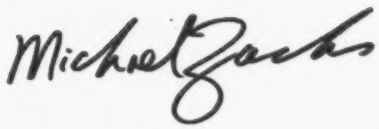
The OEA continues to provide excellent service to Ontario employers who have remained highly satisfied with our advice and representation services. Over ninety percent of our clients were willing to recommend the OEA to other employers.

We endeavour to provide the best professional advice and representation services we can, and offer more comprehensive and current information on our website and through our electronic bulletins. One of our major accomplishments in the area of our employer education mandate is our redesigned Employer's Guide to Workplace Safety and Insurance. We now offer a Guide specifically for the construction industry and a second Guide for non-construction employers. This makes critical information more accessible to employers. We have spoken at numerous conferences and workshops on a variety of WSIB issues to ensure that employers have current and necessary information to help them manage their WSIB obligations.

We have undertaken active outreach initiatives to a variety of underserved employer sectors such as the agricultural sector, and have attended numerous employer trade shows to market out services.

The OEA continued to support employer associations with policy advice and information, as they dealt with issues such as premium rates, experience rating, the WSIB's evolving service delivery model, and mandatory coverage in the construction sector.

This could not have occurred without the dedication and professionalism of the staff of the OEA. It continues to be my pleasure and privilege to work with them.



Michael Zacks
Acting Director

Part 1 OEA Mandate

The mandate of the Office of the Employer Adviser is established by Section 176(2) of the Workplace Safety and Insurance Act, 1997 ("the WSIA"),

... to educate, advise and represent primarily those employers with fewer than 100 employees, in issues arising under the WSIA.

Our vision and mission flow from this legislative mandate:

OEA VISION

An Ontario in which small and medium-sized businesses operate safe, fair and high-performing workplaces that contribute to a vibrant, competitive economy.

OEA MISSION

The OEA's mission is to be the premier organization for providing representation, advice and education to Ontario employers regarding workplace safety and insurance matters.

The Director of the OEA is an Order-in-Council appointment. Michael Zacks, OEA General Counsel, was appointed by Ministerial letter, in 2004, to act in this position until a full-time director is appointed.

Part 2 Overview of Programs and Activities

Advice Services

Workplace safety and insurance remains one of the critical responsibilities of Ontario employers. The Advice services provided by the OEA are important in helping employers meet their obligations in a timely and cost effective manner. The ability to quickly and easily access information allows employers to avoid errors and builds their self-reliance. Thorough advice means the employer is better able to understand and navigate a complex system, better safeguard the workplace and their workers, obtain better business outcomes, and avoid appeals.

Although our mandate is to primarily serve employers with fewer than 100 workers, the OEA Advice Centre personnel provide just-in-time counsel to all Ontario employers who contact us, so they can make good business decisions, and avoid costly mistakes and unnecessary penalties. We charge no fee for our service, which is advantageous for smaller companies, since they can access free, expert and confidential advice whenever they require it.

The OEA Advice Centre is staffed by four Intake Advisers located in our Toronto head office, who take calls from Ontario employers about their workplace safety insurance concerns. We also accept e-mail enquiries, so that employers can contact us outside business hours; these often result in a return phone call from an Intake Adviser to discuss the matter in greater depth with the employer.

The circumstances of each call are different and our trained staff provides advice that is detailed, thorough and tailored to the business realities of each client. A session of telephone advice may last five minutes, or an hour or more, depending on the complexity of the problem(s) confronting the employer. Because of our emphasis on

answering calls live, employers especially appreciate the expert, prompt answers to their questions, questions which range from simple queries on where to find a WSIB form, to more in-depth advice on how to return the injured worker to the job, or options, if any, for dealing with a large or unexpected premium increase, etc.

Client satisfaction with services provided by the Advice Centre, as measured through random telephone surveys, is 91%; clients recommending the services of the OEA to other employers is higher, at 95% and is even more indicative of the help they received. These numbers are slightly lower than last year, but are still excellent. Year after year, we are able to report satisfaction rates in excess of 90% and we are very proud of this achievement.

We continue to deal with employer enquiries as quickly as possible. During this reporting period 72.5% of all incoming calls went directly to an adviser with the remainder responded to within one business day. Employers are very pleased to get this immediate access to expert advice, since it saves them time and ensures that matters are addressed – and resolved – according to their schedule, not ours.

Similarly, e-mail enquiries are responded to on a priority basis, within one business day.

Employers can also choose to call their local OEA Employer Specialist for advice. The OEA has sixteen Employer Specialists located in communities throughout Ontario. Many employers have come to know their local specialist through referrals from the Workplace Safety and Insurance Board (WSIB), the Workplace Safety and Insurance Appeals Tribunal (WSIAT), health and safety associations, community and business groups, or existing and former OEA clients. In addition, Employer Specialists routinely speak, by invitation, at their local Chambers of Commerce and other community groups. Regional contact and increasing local presence continues to be an outreach priority for the OEA.

Fiscal 2009-10 saw the instances of advice provided to Ontario employers via our call centre continue to decline - a decrease of 10%, year over year. Analysis of associated activities, however, indicates that this one-on-one adviser access continues to mature: the level of technological sophistication of our clients is increasing and more and more clients are turning to our website for simple queries. The majority of calls now coming into our Advice Centre are complex, and require significant effort and time to answer, relying on the expertise of our advisers to provide on-the-spot advice and direction. The website is there for employers 24/7 and if they cannot find an answer to their problem, they can email us with their question or – often as a last resort – call us. It is very important that we maintain the expertise that resides in our Advice Centre in order to continue to provide first-rate service to Ontario employers, when they need it.

There is no longer only one access point for acquiring our services, and more and more clients are availing themselves of the different delivery options, choosing the one that best serves them, at that moment in time. We expect that the new website with its enhanced search facility, and more user-friendly format, launched in May 2010, will only serve to accelerate this trend. We are working on new metrics to more accurately measure the delivery of our advice services: the delay in implementation of the new website – originally scheduled for the second quarter of the fiscal year – has delayed our plans to do the required in-depth analysis.

In the interim, we can share the following:

- web-advices (i.e. email queries sent to the Advice Centre using the online form available to users of the website) have increased by 7% (139 versus 130) over last year;
- Intake Advisers report that 'simple' queries about such things as registration and accident reporting, which historically comprised a significant portion of Advice Centre calls, have decreased. Most calls now require more intensive problem solving, unique to the employer.

- referrals to Employer Specialists to deal with issues on a more intensive, individualized basis, are up as a percentage of Advice Centre calls, verifying the drop-off in 'simple' advice calls to the Centre.

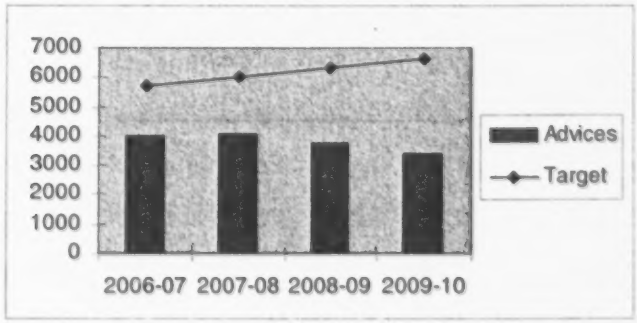
We are continuing to have our system partners include references to our services and toll free number in their letters and publications (e.g. the WSIB form letters routinely direct employers needing assistance to the OEA); and the Ontario Business Connects (OBC) program remains an important vehicle for the widespread distribution of our Employer Guides – both the non-construction and new construction versions.

As noted in previous reports, a small employer typically 'needs' our services only once every eight years or so; staying front-of-mind for our clients and informing employers about the availability of our services, should they require them, remains a significant focus for our agency. We continue to add to our outreach efforts and build on our previous successes. Reaching employers across the breadth of the province, spanning the various industries, service sectors and demographic groups is an on-going challenge.

We continue to provide informational sessions to stakeholder groups covering such things as the Board's Early and Safe Return to Work policies and other topics as requested. Additional detail about these efforts is contained in the "Value to Clients' section of this Report.

Figure 1

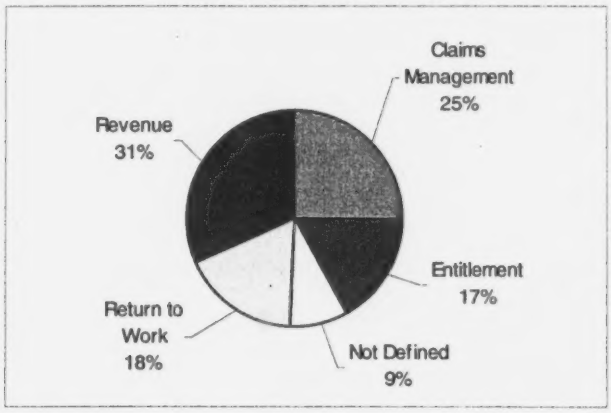
Instances of Advice ('Advices') to Employers



Analysis of the subject of the advice being provided shows that more inquiries were about Revenue issues than anything else; at 31% this is less than in the last reporting period (38%). As with our other reporting periods, the second most important focus of concern was Claims Management. Return to Work and Entitlement remain fairly evenly split in third and fourth place, with regard to frequency of inquiry. This reflects the continued focus on Return to Work created by the policies being implemented by the Board. Figure 2, overall, continues to demonstrate employers' concerns about the premiums they are being charged to fund the system – including issues such as the rate group where they have been classified, the Board's remittance practices, independent operator status, etc. - and the widespread lack of knowledge in the employer community about their obligations under the WSIA.

Figure 2

Advice Issues 2009-2010



As noted, our clients are generally satisfied with the services provided by the OEA, and we feel that part of that satisfaction relates to the high percentage of Advice calls that are taken 'live' – i.e. getting an Intake Adviser on the line directly, rather than going into voicemail and waiting for a return phone call at a time that may not be as convenient for the inquiring employer, or when the problem has resolved itself (either positively or negatively). Our answer live rate was 72.5% for 2009-10, slightly higher than last year, meeting our 70% target for the year.

As noted above, we continue to see success with our web-based education strategy: the number of advices provided in 2009-10, where clients were referred from the OEA website, was 180, up 7% from the last year's all-time high of 168. We anticipate being able to report significantly more success from the implementation of our new website, with its division into construction and non-construction focused portals, and more intuitive and user-friendly organization within those divisions. Overall we experienced a 13.8% increase in advices to employers who reported being referred to us by a website – ours or a stakeholder website where we have links to *employeradviser.ca*. This is significantly lower than the 77% increase year-over-year that we reported in fiscal 2008-09, which we believe reflects that being the year then employer acceptance of web-based assistance became well-entrenched. Our new website will ensure that the employer community continues to be well served and maintains ready access to our Advice Centre personnel.

Representation Services

In this program, we primarily represent employers with fewer than 100 employees, in disputes arising under the WSIA, at both the WSIB and at the WSIAT (see Figure 5, page 16). At the operating level of the WSIB, representation services involve negotiation, which is provided by an Intake Adviser or by an Employer Specialist, by means of telephone calls or correspondence. At the two appeal levels (WSIB Appeals Branch and WSIAT), as well as in return-to-work negotiations, Employer Specialists provide the representation services. At this level, representation involves a range of activities, from negotiation to appearing at mediations or hearings with the employer and conducting the case on their behalf.

Through all of our representation services, we play an important role in reducing conflict in the Workplace Safety and Insurance (WSI) system. OEA Intake Advisers and Employer Specialists maintain good working relationships with staff at the WSIB

operating levels, and contact them early in a new case to discuss resolution options. We continue our adaptation to the new WSIB service delivery model, as Board personnel functions evolve and are eliminated, working with WSIB staff to ensure that employers have high quality representation within the system, and to have WSIB staff refer unrepresented employers to us, when appropriate. Our involvement in Return to Work negotiations ensures an equal footing for both parties, and supports a solution that returns employees to the job in a timely, cost-effective manner, removing some strain from the WSI system. Similarly, our staff work closely with the WSIB Collections Branch, to facilitate the payment of premiums that are due and to ensure that the employers' business needs are taken into account when payment options are being considered.

Negotiations – mediations have largely been replaced under the new service delivery model – continue to be of benefit to employers because they usually offer a faster, more efficient resolution mechanism. An appeal is usually the second-choice dispute resolution alternative, as employers generally prefer to spend their time and energy on activities contributing more directly to their bottom line. In response to this employer bias, the OEA promotes the early resolution of disputes. Our achievement in this endeavour is reflected in Performance Measure A1 (see Appendix A), which shows that in 2009-10 we resolved 66% of disputes without a hearing, the same as last fiscal year and slightly less than our target of 70%. Given that the OEA largely has no direct control over whether an employer and/or worker agrees to a negotiated settlement, it is clear that we are still participating in a significant number of situations where resolution is achieved outside the appeal process and thereby contributing to a lessening of the conflict inherent in the WSI system.

While these efforts often successfully conclude cases at the operating level of the WSIB, some cases do proceed to appeal. Also, some employers do not learn about our agency until their case has progressed to the appeal stage. Of the 1,691 cases worked on in 2009-10, Employer Specialists represented employers in 269 cases that involved

mediations – i.e. virtually identical to last year's numbers of 1,686 and 270 respectively. In either instance whether cases proceed to appeal or not, we employ the same strategies to resolve matters as early as possible. The strategies include negotiating with the worker's representative and participating in negotiations and/or hearings on behalf of employers. In a system where 95% of appeals are worker-driven, OEA involvement improves balance in the system, since the employer's perspective and needs are being represented.

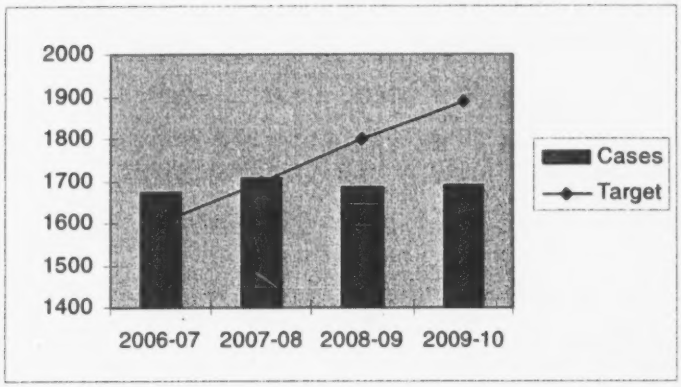
Further analysis of the 1,691 cases worked on' reveals the following:

- 598, or 35%, were closed in-year;
- 678 cases, or 40%, were new in-year – i.e. 60% rolled over from the previous year. Given the long time lines to exhaust the objection and appeals processes, this split is to be expected;
- 427, or 28%, had a successful outcome for the client. Note that many cases have multiple levels of results and appeals, and success at one level may be overturned at the next. The 28% figure for 2009-10 indicates the level of success across the various levels, and not final results, and accords with the inherent default for the system to favour the worker.

With regard to client satisfaction, 94.1% of employers surveyed indicated that they were satisfied with their OEA representative, up from 88.7% last year; 91.2% said that they would recommend our services to others, close to last year's figure of 92.5%. The satisfaction measurement itself is often tainted by whether the employer won or lost their appeal, since they often find it difficult to separate the decision from their representation. It remains a challenge for our staff to educate employers to ensure that dissatisfaction with a WSIB/WSIAT decision is not inappropriately registered as dissatisfaction with our services representing them.

Figure 3

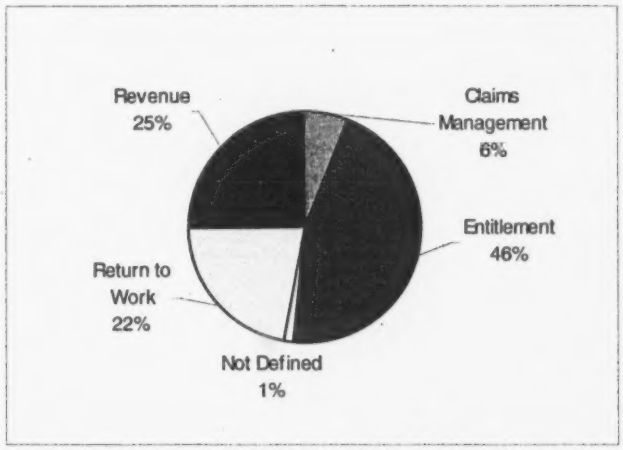
Cases Worked On



In comparison with the data for instances of advice, analysis of the representation issues shows Entitlement to be the number one concern, not Revenue. Revenue issues are second and Return to Work is also very significant, in third place, with Claims Management being the issue for only about 6% of employers. This data remains essentially identical to last year's breakdown, reflecting the continued impact of the implementation of the Board's new Early and Safe Return to Work policies in fiscal 2008-09.

Figure 4

Case Issues 2009-10



Education of Employers

On average, a small employer has a workplace injury occur once every eight years. At the time of the injury, the employer's need for information about claims management and return to work is acute. However, at other times, most small business owners are actively focused on running their businesses, so learning about WSIB policies and procedures is not a priority. These same employers rarely have free time themselves, or have staff readily available, to attend workplace insurance seminars or information sessions.

Accordingly, the OEA's educational strategy evolved from one based on having employers attend intensive adult-education workshops, to a multi-channel approach which makes information available to employers in a format that is timely, relevant and accessible. Our education strategy in recent years has included educating employers during our casework, and posting useful information and tools on our website, while continuing to assist stakeholders – interest groups/employer advocacy organizations, stakeholder employer associations, etc. - with their education initiatives where appropriate. In 2009-10, the OEA continued to meet a need in the employer community for additional information about the Board's Early and Safe Return to Work (ESRTW) policies and how the changes impact them; this was accomplished in cooperation with the Employers Advocacy Council (EAC), presentations at various Industrial Accident Prevention Association (IAPA) shows and in conjunction with various other stakeholder groups, including Safety Associations, trade associations, etc. More than 40 presentations were made to different interest groups about WSIB policies, policy changes and the new service delivery model, and their impact on Ontario employers. We were fortunate to have opportunities to address larger groups of employers this year, probably because of the widespread interest in the changing WSIB policies, and our presentations were well received by the more than 1,250 employer representatives in attendance at these sessions – an increase in reach of more than 70% over last year. We will continue to accept invitations to develop and maintain this educational channel.

One of the goals of our casework is to build self-reliance for employers within the WSI system, by making sure that they understand their rights and obligations under the Workplace Safety and Insurance Act. This includes teaching employers how to improve their claims management and "return-to-work" procedures, and how the WSIB's experience rating system works, so that employers will be more independent and self-reliant in the future. Performance Measure A2 (see Appendix A) shows the proportion of OEA clients who used our services for the first time in 2009-10. Approximately 56% of Advices were provided to new contacts in 2009-10, as compared to approximately 70% from the previous year. We view this change as reflective of change in our service delivery. As previously outlined, many 'new' clients who would have been calling us in the past, seeking telephone help, are now finding answers to their simple problems on the website. We will continue to push education and outreach to Ontario employers, to ensure that as many as possible are aware of the availability of our services, whether via the website or in person.

On the representation side, 74% of our new cases were from first time clients in 2009-10, which is significantly higher than the 22 and 39.5% levels of the previous two years. We had predicted an increase as our higher level of outreach activities percolated through the system, but we are very pleasantly surprised at the results attained.

In addition to the 'hands-on' education provided through our casework, the OEA strives to meet the needs of our broad customer base by providing WSIB-related information through a variety of access/delivery mechanisms:

- We continue to maintain current content and notices of presentations and other meetings on our www.employeradviser.ca website, and access to this information has been enhanced as part of our website revision.

- OEA e-bulletins continue to go out to our client base up to eight times per year, in an expanded newsletter format. We have taken advantage of the newsletter

format to print the e-bulletins and distribute the hard copies at various trade and other informational shows, and they have been very well received. In addition we have continued with our just-in-time delivery of information and policy changes. The proposed enhancement of our e-bulletins, scheduled for fiscal 2009-10, was postponed because of the length of time required to finish the website upgrade. It is now planned for implementation in Q2/3 of fiscal 2010-11, using the same look and feel as the website and ensuring that we meet or exceed all accessibility requirements re Ontarians with disabilities, etc.

- We have maintained the archive of our e-bulletins on our website, with current e-bulletin content showcased as the most recent website updates. Employers using our site can sign up for e-bulletin subscriptions while visiting.

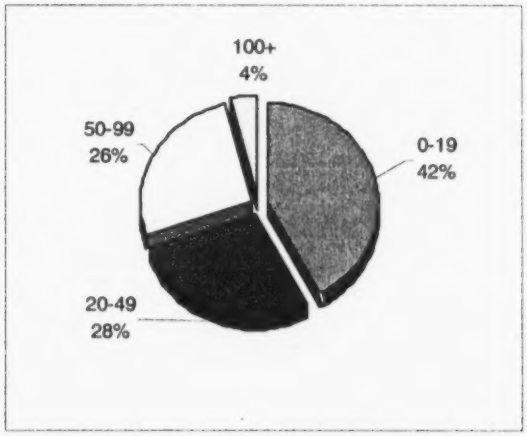
- We have completed the separation of the content of our Employers Guide into two separate editions – one specifically for Construction employers and for Non-Construction employers. This separation, as noted, is reflected in the new website setup. Both hard copy editions continue to be disseminated through the Ontario Business Connects locations and as personal handouts to employers by staff. Filled with information needed by employers about such things as who should register with WSIB, how to do so, what an employer's rights and responsibilities are under the WSIA, etc., the guides serve as employer-group specific ready references for soon-to-be employers as well as those engaged in small to medium sized businesses. In 2009-10 we distributed approximately 6,700 Employers Guides – 1,695 Construction and 4,980 Non-Construction - through the Service Ontario program and as handouts outside the program, a slight decrease from last year's high distribution of 7,500.

Part 3 OEA Clients

As noted previously, the OEA's mandate is to serve primarily those employers with fewer than 100 workers. The merit review undertaken before the OEA represents an employer includes determining their size. We only represent employers with more than 100 workers where the issues involved could set precedents, where highly complex medical/legal issues need to be addressed or where other extenuating circumstances are involved. As such, approximately 4% of our representation clients have more than 100 employees. It is not administratively viable to screen clients who contact our Advice Centre and it is also generally accepted that permitting access to advice for all employers greatly improves the system for all. Thus we see that 9.6% of employers contacting the Advice Centre during the current reporting period had 100+ employees. While this is much lower than last year's total of 14.2%, we continue to be tasked to provide advice services to as many of Ontario employers as contact us, and this number is variable from year to year.

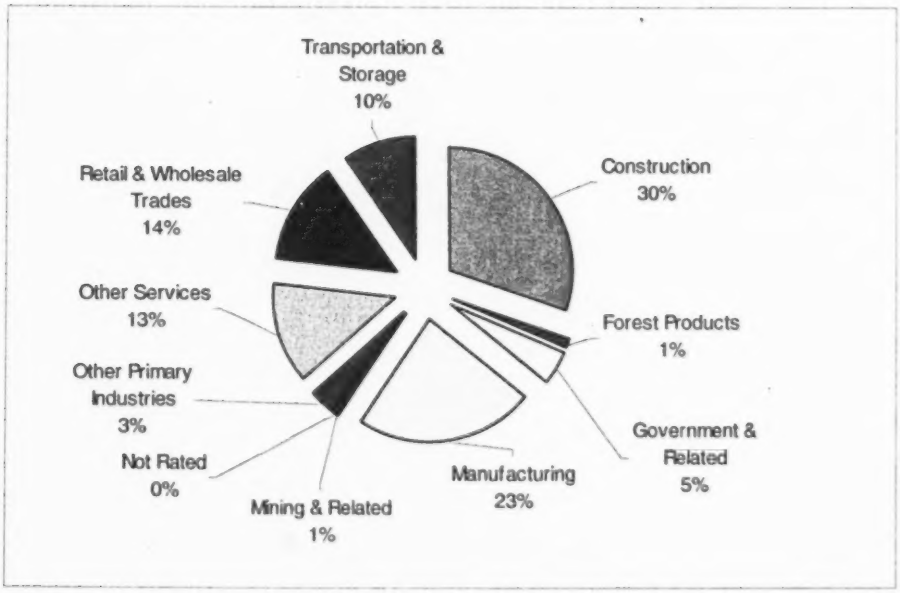
Figure 5

Breakdown of OEA Representation Clients
By Company Size
(number of employees)



The sectoral analysis below is based upon WSIB classifications. The breakdown is consistent with the prevalence of small to medium sized employers in the different industry sectors. The construction industry is our largest client group at 30%. This has remained constant from the last reporting period, reflecting the ongoing interest in the change in WSIB construction policies pending and implemented. Other sectors are little changed from last year, although the "Other Services" (tourism, hospitality, vehicle sales)," is down to 13% from 17% last year.

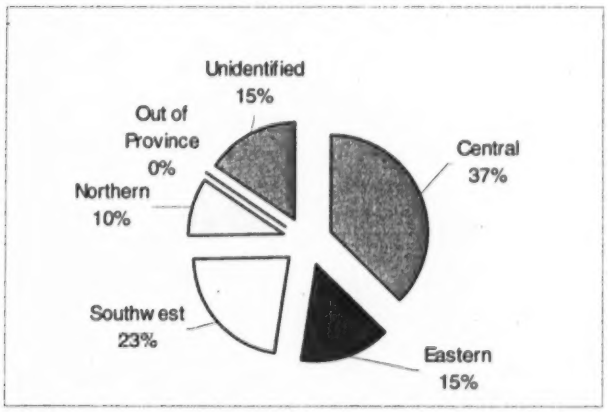
Figure 6
Breakdown of OEA Clients by WSIB Industry Sector



Information regarding the regional distribution of OEA clients is presented below. Our services would appear to reflect the population and business demographics of the province, with the Central area, which includes the Greater Toronto Area, requiring the bulk of our services. The distribution is very similar to last year, although the Northern region has increased by 2% to 10% from 7.4% last year, closer to the 12.1% of the 2007-08 fiscal year. Although Central region is down from 43.6% to 37%; and the East

is up from 12% to 15% from last year's levels, given the 15% "Unidentified" figure, these small variations are not significant from a service delivery point of view. We believe we have the geographical regions of the province well-covered by our locally-sited representatives.

Figure 7
Breakdown of OEA Clients by Location
(Postal Code)



Value to our Client

The one historic and consistent criticism of our service that we see from the client surveys is that we are not better known, and we continue to tackle that issue head-on through the efforts of our Outreach Coordinator and the implementation of a formal Outreach program.

Activities during the current reporting period included:

- The continuation of our informational newspaper ad program. Ads were run across Ontario, 12 in English-language publications, and 10 in various other ethnic-specific newspapers.
- Additions to the employer franchise groups who receive articles on workplace safety and insurance related topics to distribute to their members. In addition to such groups as Tim Horton's, now included are the large automobile dealers associations (Toronto Automobile Dealers Association - TADA) and (Ontario Automobile Dealers Association - OADA).
- Our participation in a dozen conferences and trade shows and summits run by the Employer Advocacy Council (EAC). We continue to participate in IAPA tradeshows (10).
- As part of our focus on the construction sector, thirty-four major construction associations (by geographical region and trade) were contacted and OEA services outlined. Many have now included links to the OEA website from theirs, under '*helpful web site links*'. These contacts resulted in our staff being booked to provide a number of presentations.
- A total of 16 presentations were provided for construction sector employer associations providing their members with claims management and return to work tips and outlining upcoming changes due to Bill 119.
- We targeted safety groups, with a focus on construction safety groups, as appropriate venues for us to discuss the obligations of employers to return their

injured workers to work. This resulted in an additional 6 presentations, such as to the Ottawa Construction Safety group.

- Last year's focus on agriculture appears to have been moderately successful. Although we do not have 'agriculture' as a designated client industry type, it is included under 'other primary industry', for analysis purposes. In fiscal 2008-09 we had 12 such clients; in 2009-10, we had 21, an increase of 43%, which we believe is at least partially due to our outreach efforts in that sector.
- One of our new outreach focus groups this year were employers designated as Schedule 2 under the WSI Act. We identified 318 of these employers who have never used, or had not used our services in a number of years, and contacted them to outline and promote our services. Each was provided with a copy of our revised Employer's Guide, for their continued reference.
- In total, more than 42 presentations on ESRTW, the new construction re-employment obligations and other WSIB topics were provided to various stakeholder and employer groups. More than 1,250 employer representatives attended. This is up considerably from the previous year's numbers of 36 presentations/725 attendees, largely due, we believe to increased partnership with employer associations and safety groups.
- In addition, we provided 6 workshops on Appeals with 75 participants. In total, we reached 82% more employers/employer representatives in fiscal 2009-10 than the previous year.
- Distribution of more than 2000 of our Appeals bookmarks. These bookmarks outline the services available from the OEA with regard to the WSIB appeals process. They are primarily used by the WSIAT as an enclosure in their mailings to employers about their upcoming Appeal.
- We now have 2 different versions of our Employer's Guide to Workplace Safety and Insurance – one specifically for Construction employers and one for Non-Construction employers. We distributed 2800 Non-Construction Guides indirectly through various employer associations and government business centres. An additional 2,182 were handed out at trade shows, workshops and presentations.

A total of 1,695 of the new Construction Guides were provided to Ontario's construction employers. In total, approximately 6,695 Guides found their way into employer hands as ready references.

New Website

A primary focus for 2009-10 was the replacement and up-dating of the OEA website. Our goals were to change the text-heavy format and make the site more user-friendly, up-to-date with regard to technology and visually more appealing. The task proved much larger than we had originally thought and resulted in a fundamental change in how we organized ourselves: we decided to create two portals, one each dedicated to construction employers and non-construction employers, accessed from a common home page, www.employeradviser.ca.

In addition to the employeradviser.ca site, we acquired another site name – employeradvisor.ca – in order to capture those misspelling our agency name. The web site has been finished and was launched in May 2010. We have received enthusiastic feedback from our clients and analytics indicate that the site is accomplishing what it was intended to do – boost readership and help users find answers to their WSIB problems 24/7. We are very pleased with the result of our year-long efforts.

In addition, in 2009-10, we continued to capture 'OEA 'savings' - i.e. money saved by a client employer as a direct and immediate result of our involvement, such as a favourable appeal outcome which reversed a decision of original entitlement; or a change to a classification ruling made in an employer's favour, etc. Savings amounted to $767,748.98 for 2009-10, which is approximately 50% of last year's figure, but still represents a very significant contribution to the bottom-line for Ontario's small-employer community. Note that these figures are straightforward totals of one-time savings from

rebates or credits or charges not-incurred. They do not include any projection of future or ongoing savings based on these favourable outcomes, so the ongoing benefit is far in excess of the numbers being reported.

We will continue to monitor our effectiveness with regard to our clients' out-of-pocket costs and savings.

Client Testimonials

We are pleased to provide the following excerpts from communications received from OEA clients, commenting on the services they received from our staff:

Thank you very much [staff member] for taking the time (and expediently so) in addressing my questions!!. This is amazing customer service.

A.E.
Kitchener

I cannot begin to thank you enough for the presentation, booklets and pens! I truly appreciate the effort that you and your team went to to customize the PPT.

E.D.
Toronto

You were awesome! Some might say a Superstar!
Really was informative and it is nice to know there is someone out there to help us.

L.D.
Ottawa

... more awareness of availability. It took me a number of years to find that you existed and once I got you guys, it was great. I wish I had known about you earlier.

C.P.R.
Kingston

My lawyer recommended you guys, and you were good.

H.R.
Vineland

Dealt with [staff 1] and [staff2] and both were awesome. [staff 2] is a go getter.

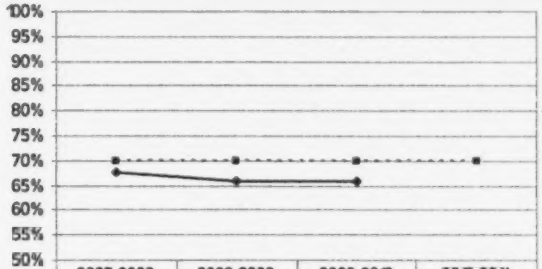
G.S
Whitby

Appendix A: OEA Performance Measures 2009-2010

Key Activities: Advice and Representation Services — A1

Performance measure for 2009-2010: Percentage of disputes resolved without a hearing

Percentage of Disputes Resolved without a Hearing



	2007-2008	2008-2009	2009-2010	2010-2011
Disputes - No Hearing	68%	66%	66%	
Target	70%	70%	70%	70%

Agency Contribution

OEA staff employ alternate dispute resolution strategies such as negotiation and mediation to help employers resolve disputes at an earlier stage.

In revenue matters where the dispute only involves two parties (i.e. the WSIB and the employer), every effort is made to resolve matters at the operating level. However, 95% of appeals are worker-driven and employers often contact the OEA for assistance after the dispute has proceeded to the appeal level. This limits the target that can realistically be achieved.

What does the graph show?

While the OEA consistently contributes to the reduction of adversity in the workplace safety and insurance system and helping employers to manage disputes more efficiently and effectively, the measure is not directly controlled or controllable by the OEA. Ultimately, since most appeals are worker-driven and employers have the final decision on whether or not to settle prior to a hearing, this measure will fluctuate according to employer climate and issues in any given year. We seem to have a fairly steady-state level of 65-70% year over year, indicating that we continue to help a substantial number of employers prior to the hearing stage.

2009-10 Commitments

The commitment for 2009-10 was 70% of disputes resolved without a hearing.

Long-term Target

The long-term target is 70%

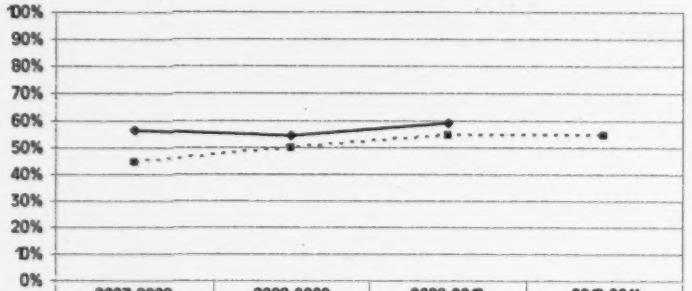
○ Proposed for Publication	○ Internal Use Only	☒ Existing Measure	☐ New Measure

Appendix A: OEA Performance Measures 2009-2010 (cont'd)

Key Activities: Advice and Representation Services — A2

Performance measure for 2009-2010: Percentage of clients served in year that used OEA services for the first time.

Percentage of New Clients Served



	2007-2008	2008-2009	2009-2010	2010-2011
New Clients	57%	55%	60%	
Target	45%	50%	55%	55%

Agency Contribution

Client feedback consistently calls on the OEA to ensure that more employers are aware of our services. The OEA also strives to ensure that employers become more self-reliant through casework.

This measure helps to determine whether we are expanding our reach to those eligible employers who are paying for OEA services in their WSIB premiums, but who have not previously accessed our services.

What does the graph show?

Our outreach efforts appear to be successful; we are reaching an increasing number of employers who have not used our services before.

2009-10 Commitments

The commitment for 2009-10 was 55% new clients served in year. This target was exceeded.

Long-term Target

The long-term target is 55%.

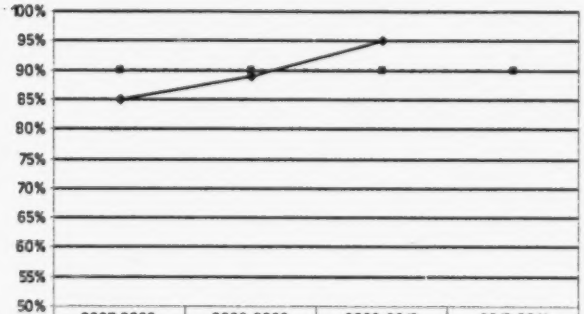
○ Proposed for Publication	○ Internal Use Only	☒ Existing Measure	☐ New Measure

Appendix A: OEA Performance Measures 2009-2010(cont'd)

Key Activities: Advice and Representation Services — A3

Performance measure for 2009-2010: A customer satisfaction rate of 90% or higher.

Percentage of Satisfied Clients



	2007-2008	2008-2009	2009-2010	2010-2011
Satisfied Clients	85%	89%	95%	
Target	90%	90%	90%	90%

Agency Contribution

The primary complaint we hear is that employers were not aware of our services sooner, which reinforces our desire to increase outreach. In addition to OPS customer service standards, the OEA has a number of internal standards, policies and performance measures, including those for telephone services and for file review, client follow up, etc., to maximize the service experience of OEA clients. The OEA's case management system was designed to provide tools to OEA staff that help them monitor and meet these expectations.

What does the graph show?

OEA clients are very satisfied with the service they receive.

Note that this graph shows the combined rate for both OEA business streams – Advice Centre and Employer Representation.

2009-10 Commitments

The commitment for 2009-10 was a 90% client satisfaction rate. This target was exceeded.

Long-term Target

The long-term target is 90%.

○ Proposed for Publication	○ Internal Use Only	☒ Existing Measure	☐ New Measure

Appendix B: OEA Financial Report 2009 –2010

All Figures in $000.0 thousand (except "% of Variance" column)

Account	Final Budget *	Total Actual Expenditures **	Variance	% Variance	Explanation
Salaries & Wages	2,510.7	2,137.0	373.7	14.9	*Not full FTE complement*
Benefits	577.5	469.1	108.4	18.8	
Transp. & Comm.	150.0	128.0	22.0	14.7	
Services (incl. Lease)	393.6	314.9	78.7	20.0	*Discretionary spending controlled; not full complement of FTEs*
Supplies & Equip.	88.9	54.2	34.7	39.0	*Discretionary spending controlled; not full complement of FTEs*
ODOE	632.5	497.1	135.4	21.4	
Transfer Payments	0.0	0.0	0.0		
Total	**3,720.7**	**3,103.2**	**617.5**	**16.6**	
Recoveries	**(3,719.7)**	**(3,103.2)**	**(616.5)**	**16.6**	*Expenditures fully recoverable from WSIB*
TOTAL	**1.0**	**0.0**	**1.0**	**100**	

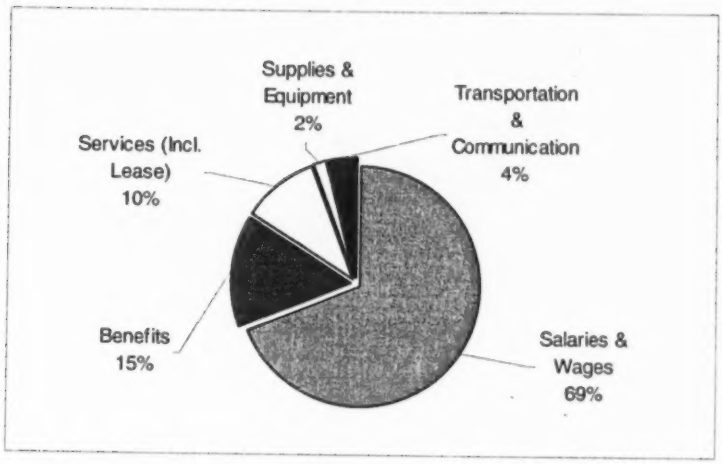
- * Final Budget = Printed Estimates, +/- TBO and/or re-alignment of funds by standard account.

Revenues Generated From:	Forecast	Total Actual Revenue	Variance	% of Variance	Explanation
Not applicable					

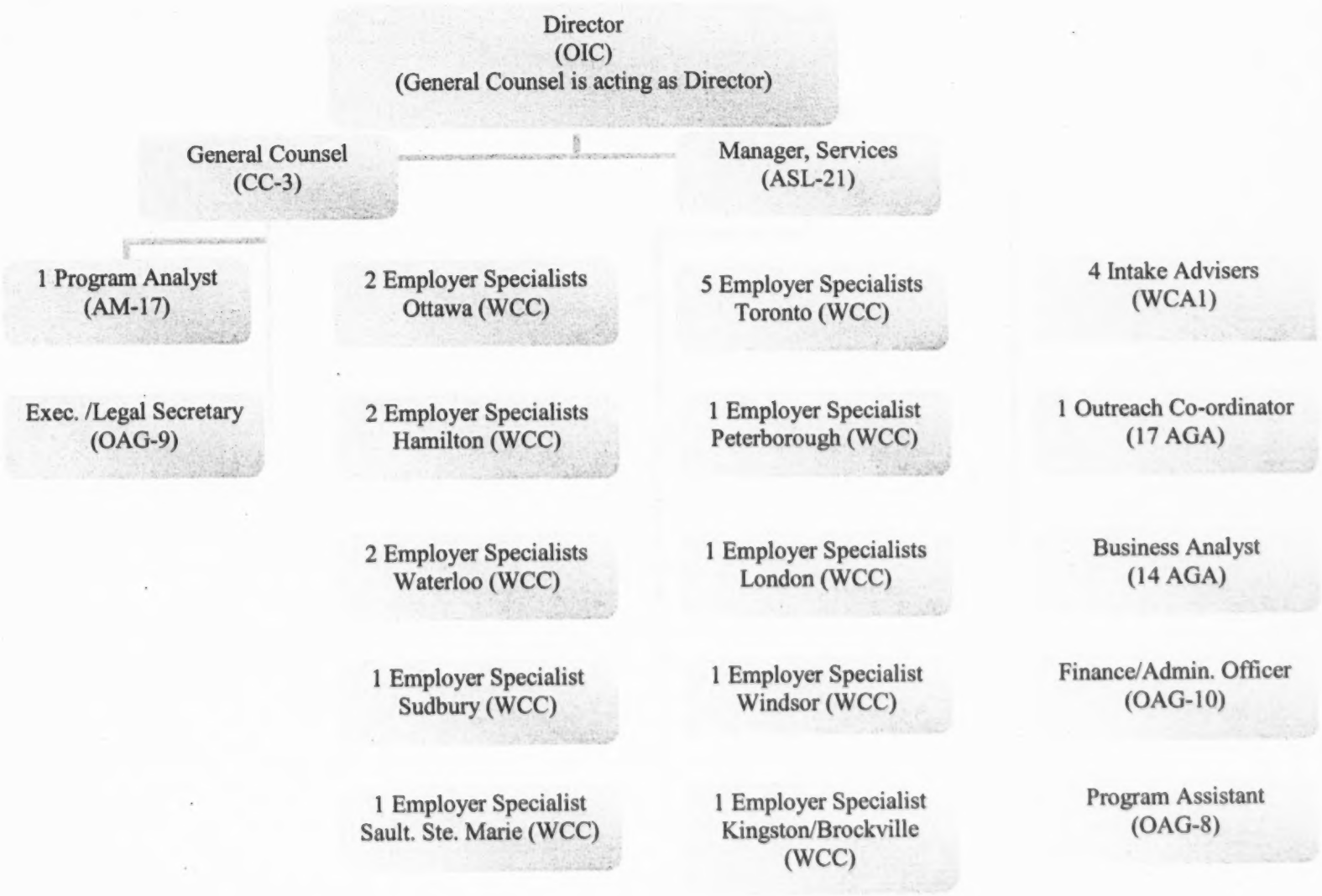
- ** Total Actual Expenditures including lease cost.

Figure 8

2009-10 Budget Actuals



Appendix C: OEA Organization Chart



- An OIC appointment has not been made to the OEA and the General Counsel is currently acting as the Director.

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